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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/606,782	06/27/2003	Kazuo Hiraguchi	Q76018	6390	
23373	7590 08/11/2004		EXAM	EXAMINER	
SUGHRUE MION, PLLC			RIVERA, WILLIAM ARAUZ		
2100 PENN SUITE 800	SYLVANIA AVENUE,	N.W.	ART UNIT	PAPER NUMBER	
	TON, DC 20037		3654 DATE MAILED: 08/11/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

				1		
	App	olication No.	Applicant(s)			
	10/	606,782	HIRAGUCHI, KAZUO	1		
Office Action Sum	mary Exa	miner	Art Unit			
	Will	iam A Rivera	3654			
The MAILING DATE of this Period for Reply	communication appears	on the cover sheet with the c	correspondence addre	ss		
A SHORTENED STATUTORY F THE MAILING DATE OF THIS C - Extensions of time may be available under after SIX (6) MONTHS from the mailing dat - If the period for reply specified above is less - If NO period for reply is specified above, the - Failure to reply within the set or extended p Any reply received by the Office later than t earned patent term adjustment. See 37 CF	COMMUNICATION. the provisions of 37 CFR 1.136(a). I e of this communication. s than thirty (30) days, a reply within e maximum statutory period will appl eriod for reply will, by statute, cause hree months after the mailing date o	in no event, however, may a reply be ting the statutory minimum of thirty (30) day y and will expire SIX (6) MONTHS from the application to become ABANDONE	mely filed ys will be considered timely. n the mailing date of this comm ED (35 U.S.C. § 133).	ıunication.		
Status						
1) Responsive to communica	tion(s) filed on			•		
2a) ☐ This action is FINAL.	2b)⊠ This actio	n is non-final.				
3) Since this application is in	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with	the practice under Ex pai	rte Quayle, 1935 C.D. 11, 4	53 O.G. 213.			
Disposition of Claims						
4)⊠ Claim(s) <u>1-15</u> is/are pendi	ng in the application.					
4a) Of the above claim(s) _	-	om consideration.				
5) Claim(s) is/are allow	ved.					
6)⊠ Claim(s) <u>1-15</u> is/are reject						
7) Claim(s) is/are obje		•				
8) Claim(s) are subject	t to restriction and/or elec	tion requirement.				
Application Papers						
9) The specification is objecte	d to by the Examiner.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)☐ The oath or declaration is o	bjected to by the Examin	er. Note the attached Office	Action or form PTO-	152.		
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made o	of a claim for foreign prior	ity under 35 U.S.C. § 119(a)-(d) or (f).			
a)⊠ All b)□ Some * c)□ N	lone of:					
 1. ☐ Certified copies of the copies of the copies. 	ne priority documents hav	e been received.				
	•	e been received in Applicat				
		ocuments have been receive	ed in this National Sta	ige		
• •	International Bureau (PC	` ''				
* See the attached detailed O	ffice action for a list of the	e certified copies not receive	∌ d.			
AM-sharrant (s)						
Attachment(s) 1) Notice of References Cited (PTO-892)		4) 🔲 Interview Summary	(PTO-413)			
2) Notice of Draftsperson's Patent Drawin		Paper No(s)/Mail D	ate			
3) Information Disclosure Statement(s) (P Paper No(s)/Mail Date <u>06/27/03</u> .	TO-1449 or PTO/SB/08)	5) Notice of Informal F 6) Other:	Patent Application (PTO-15	2)		
· wor recommended out out out		٠, <u>٠</u> , ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠, ٠,				

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is vague and indefinite. On lines 15 and 17, the phrase "one or more" is unclear because it sets forth non-equivalent alternatives.

Claim 15 is vague and indefinite. On lines 13 and 15, the phrase "one or more" is unclear because it sets forth non-equivalent alternatives.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5, and 9-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Morita (U.S. Patent Application Publication No. 2001/0054664).

With respect to Claim 1, 3-5, and 9-15, Morita, Figure 11, teaches a tape cartridge 1 comprising a reel 7 on which a tape is wound; a leader pin 5; a case 2,3; a tape access window 10; an elastic member 9 having a free end portion 9c and a proximal portion 9a, and anchoring the leader pin at the pin holding portion by pressing the leader pin by the free end portion; and a supporting portion 23 provided in the case and having one or more anchor ribs 23b and a plurality of holding ribs 23a for reinforcing the front wall portion, the supporting portion

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supporting the proximal portion of the elastic member between the one or more anchor ribs and the holding ribs.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morita as applied to claims 1, 3-5, and 9-15 above, and further in view of Krabbenhoft et al (U.S. Patent No. 5,209,425).

With respect to Claim 2, Morita is advanced above. Krabbenhoft et al, Figures 1 and 2, teach an inclined wall portion. It would have been obvious to one of ordinary skill in the art to provide Morita with an inclined wall portion, as taught by Krabbenhoft et al for the purpose of allowing the tape drive to have a more direct access to the leader pin.

Allowable Subject Matter

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to William A Rivera whose telephone number is 703-308-2684. The examiner can normally be reached on Monday to Friday - 7:30 to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 703-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Whiten a. River

PRIMARY EXAMINER

August 9, 2004